

E-Mail Request for Emergency Relief

1. Case Number: 04 -cv- 1314 -SLR

2. Check the box that applies:

- ☒ Requesting a teleconference with the parties and the court
☐ Requesting an in-person conference with the parties and the court
☐ Requesting either of the above listed options at the court's determination

3. BRIEFLY describe the reason for this **emergency** request:

Defendant Pepsi Bottling Group writes to request a conference call regarding an emergent discovery issue involving pro se Plaintiff Marlayna Tillman in the above-captioned matter. Lucretia Clemons, counsel for Defendant Pepsi Bottling Group, has attempted numerous times over the past two months to schedule the continuation of Ms. Tillman's deposition which began on December 13, 2005. Further, Ms. Tillman and her former counsel agreed to produce several documents in Ms. Tillman's possession responsive to Pepsi Bottling Group's discovery requests by January of 2006. To date, Ms. Tillman has refused to produce the documents. Each time counsel contacts Ms. Tillman, she refuses to reschedule the deposition or produce the documents and states that she is still attempting to retain counsel and that she will not comply until she is able to do so. Defendant Pepsi Bottling Group respectfully requests the Court's intervention in this matter as discovery is set to close on June 1, 2006.

*Any text added beyond the limits of this space will be disregarded by the court.

4. Name of opposing counsel contacted about this request: Not applicable

5. Response of opposing counsel to this request:

6. Name of local counsel making this request: William Kelleher

7. Today's Date: May 2, 2006

For court use only:

☐ A teleconference will be held on _____ to be coordinated and
initiated by _____

☐ An in-person discovery conference will be held on: _____

☐ Other: _____

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3. BRIEFLY describe the reason for this **emergency** request:

Defendant Local Union 830 concurs with the request for teleconference made on this date by Co-Defendant Pepsi Bottling Group. The reasons for the request are identical to those contained in Mr. Kelleher's emergency request.

*Any text added beyond the limits of this space will be disregarded by the court.

4. Name of opposing counsel contacted about this request: Not applicable

5. Response of opposing counsel to this request:

6. Name of local counsel making this request: Clifford Hearn

7. Today's Date: May 2, 2006

For court use only:

- ☐ A teleconference will be held on _____ to be coordinated and
initiated by _____
- ☐ An in-person discovery conference will be held on: _____
- ☐ Other: _____



M Tillman
<mgillman@yahoo.com>
05/03/2006 10:58 AM

To: slr_civil@ded.uscourts.gov
cc
bcc

Subject: Tillman v. Pepsi Bottling Group, et. al., 04-v-1314

Dear Judge Robinson:

With regard to opposing counsel's most recent request for a teleconference in the matter of Tillman v Pepsi Bottling/Local 830, please inform me as to whether I am required to respond at this time in opposition to this electronic communication (as a matter of procedure), insofar as these issues have been addressed via teleconference last month with Judge Mary Pat Thyng.

Respectfully,

Marlayna Tillman
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Unit 11-H
Brooklyn, NY 11201
(718) 554-3334
(610) 457-9507
mgillman@yahoo.com

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